

## **Remarks**

Claims 1-29 are pending and rejected in the present application. A Notice of Appeal was filed on March 8, 2006. Instead of filing an Appeal Brief, Applicant is filing this amendment with a Request For Continued Examination to amend the claims and continue examination instead of proceeding with an Appeal. By this paper, Applicant has amended claims 1, 28 and 29, and added new claims 30-32.

### ***Claim Rejections - 35 U.S.C. § 102***

#### **Rejection of Claims 1-6, 9, 10, 13, 14, 16-24 and 27-29 As Being Anticipated By Yeo '316**

The Examiner has rejected claims 1-6, 9, 10, 13, 14, 16-24 and 27-29 under 35 U.S.C. § 102(b) as being anticipated by Yeo '316. According to the Examiner "Yeo '316 shows in Figure 1 a rotary cutting tool (10)." However, a rotary cutting tool is not claimed. In contrast, a reamer is claimed. Specifically, "a reamer for enlarging a preexisting hole in a workpiece by rotation and axial movement relative to the workpiece" is claimed. Yeo fails to disclose the claimed subject matter. Rather, the end mill (10) of Yeo has cutting edges formed along the length (column 2, lines 43-63) for cutting a "finished edge on workpiece 54." (Column 3, lines 18-21). Claim 1 does not read upon the end mill of Yeo '316 and therefore is not anticipated thereby.

Further, claim 1 has been amended to require "tolerances of the cutting operations to at least 0.001 inches." The end mill of Yeo does not satisfy this claim limitation and therefore claim 1 is not anticipated thereby.

Claims 2-6, 9, 10, 13, 14, 16-24 and 27 depend from claim 1 and therefore are not anticipated by Yeo '316 for at least the reasons stated above with reference to claim 1.

Claim 28, like claim 1, also claims a reamer, which is not disclosed in the Yeo '316 and therefore is not anticipated thereby. Further, claim 28 has been amended to require "tolerances of the cutting operations to at least 0.001 inches." The end mill of Yeo does not satisfy this claim limitation and therefore claim 28 is not anticipated thereby.

Claim 29 teaches a method for reaming a preexisting hole with limitations to various steps in the method for reaming. No such disclosure is found in Yeo '316. Further, claim 29 has been amended to provide "cutting operations...with a tolerance of at least 0.001 inches." Yeo does not teach a method that satisfies this limitation and therefore claim 29 is not anticipated thereby.

**Rejection of Claims 1-10, 13 and 18-29**  
**As Being Anticipated By Serwa 2002/0090273**

The Examiner has rejected claims 1-10, 13 and 18-29 under 35 U.S.C. § 102(b) as being anticipated by Serwa. The Examiner states "Serwa 2002/0090273 shows in Figures 1-3 a rotary cutting tool (10)." Applicant has claimed a reamer, not a rotary cutting tool. The rotary cutting tool of Serwa is a router bit (10) for performing "roughing and finishing cuts in one cutting operation." Serwa, Abstract. In contrast, Applicant claims a reamer for enlarging preexisting hole in a workpiece. Claim 1 does not read on Serwa and therefore claim 1 is not anticipated thereby.

Further, claim 1 has been amended to require "tolerances of the cutting operations to at least 0.001 inches." The router bit of Serwa does not satisfy this claim limitation and therefore claim 1 is not anticipated thereby.

Claims 2-10, 13 and 18-27 depend from claim 1 and therefore are not anticipated by Serwa for at least the reasons stated above with reference to claim 1.

Claim 28 also claims a reamer, wherein Serwa fails to teach or disclose a reamer. Further, claim 28 has been amended to require "tolerances of the cutting operations

to at least 0.001 inches.” The router bit of Serwa does not satisfy this claim limitation and therefore claim 28 is not anticipated thereby.

Claim 29 teaches a method for reaming a preexisting hole, wherein Serwa teaches a routing bit “for drilling and/or milling operations.” (Column 1, paragraph 1). Since claim 29 does not read on Serwa, claim 29 is not anticipated thereby. Further, claim 29 has been amended to provide “cutting operations...with a tolerance of at least 0.001 inches.” Serwa does not teach a method that satisfies this limitation and therefore claim 29 is not anticipated thereby.

Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

***Claim Rejections - 35 U.S.C. § 103***

The Examiner has rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Yeo '316 in view of Reynolds et al. '458. However, Yeo '316 and Reynolds '458 alone and in combination fail to teach or disclose a reamer for enlarging a preexisting hole in a workpiece with tolerances of cutting operations of at least 0.001 inches. Therefore claim 11 is nonobvious over the combination of Yeo and Reynolds.

The Examiner has rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Yeo '316 in view of Magill et al. '712. As stated above with reference to the base claim, Yeo fails to anticipate claim 1. Thus, the combination of references fails to teach or suggest the claimed invention.

The Examiner has rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Yeo '316 in view of Miller '487. Yeo '316 fails to anticipate claim 1. Thus, the combination of references fails to teach or suggest the claimed invention.

***Conclusion***

In view of the foregoing, Applicant respectfully asserts that the application is in condition for allowance, which allowance is hereby respectfully requested.

A check in the amount of \$695.00 is enclosed to cover the Petition fee of \$225.00, additional claims filing fee of \$75.00 and RCE fee of \$395.00. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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